

JUL 17 2006

EMPLOYER STATUS DETERMINATION
Quincy Bay Terminal Company

This is the decision of the Railroad Retirement Board regarding the continued status of the Quincy Bay Terminal Company as an employer under the Railroad Retirement Act (45 U.S.C. § 231, et seq.) (RRA) and the Railroad Unemployment Insurance Act (45 U.S.C. § 351, et seq.) (RUIA).

Quincy Bay was held to be an employer under the Acts effective February 1, 1992, (B.A. Number 3122). Quincy Bay had operated the Fore River Railroad, a covered employer under the Acts (B.A. No. 4103), under an agreement with the Massachusetts Water Resources Authority, owner of Fore River Railroad. Quincy Bay ceased operation of the railroad on June 30, 2001, and last compensated its operating employees on August 2, 2001, and its officers on September 27, 2001. Its operating assets were sold to various purchasers. Quincy Bay was dissolved as a corporation in May 2006. Fore River Railroad is operated by Fore River Railroad Transportation Corporation, a covered employer under the Acts (B.A. No. 4114).

Section 202.11 of the Board's regulations provides that:

The employer status of any company or person shall terminate whenever such company or person loses any of the characteristics essential to the existence of an employer status.

Through the sale of its rail and other assets and its cessation of operations, Quincy Bay has lost the characteristics essential to the existence of an employer status. Accordingly, the Board holds that Quincy Bay ceased to be an employer under the Railroad Retirement and Railroad Unemployment Insurance Acts effective with the close of business on September 27, 2001, the date as of which Quincy Bay last compensated its employees.

Original signed by:

Beatrice Ezerski
FOR THE BOARD
Secretary to the Board